

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TODD ANTHONY ROBINSON <i>also known</i> <i>as Todd Anthony Glover,</i>)	
)	
Petitioner,)	Civil Action No. 20-376
)	District Judge Marilyn Horan/
v.)	Magistrate Judge Maureen P. Kelly
)	
ORLANDO HARPER,)	
)	
Respondent.)	

ORDER

On April 28, 2020, Magistrate Judge Kelly issued a Report and Recommendation recommending that the Petition for Writ of Habeas Corpus be dismissed pre-service pursuant to habeas Rule 4. Petitioner was informed that he could file objections to the Report by May 15, 2020. As of May 21, 2020, the Court had not received any objections from Petitioner, and, following a *de novo* review of the record and the Report, adopted the Report and Recommendation as the opinion of the Court. The Court thus dismissed this matter.


Subsequently, the Court received a letter from Petitioner on May 28, 2020 stating that he had placed his objections in the Allegheny County Jail's institutional mailbox on May 15, 2020 but was concerned that it had not actually been mailed. The following day, May 29, 2020, the Court received Petitioner's objections. The Court accepts Petitioner's position, and finds that he timely submitted his objections.

However, upon review of Petitioner's objections and a *de novo* review of the record and the Report and Recommendation, the Court finds that the outcome is unchanged. Petitioner has

not exhausted his administrative remedies, and he has not established that extraordinary circumstances exist that would allow him to forego administrative exhaustion.

IT IS THEREFORE ORDERED this 1st day of June 2020, after *de novo* review of the record, the Report and Recommendation, and Petitioner's Objections thereto, the Petition for Writ of Habeas Corpus is dismissed pre-service. And to the extent one is required, a certificate of appealability is denied. The Report and Recommendation is adopted as the opinion of the Court.

BY THE COURT:


MARILYN J. HORAN
UNITED STATES DISTRICT JUDGE

cc: The Honorable Maureen P. Kelly
United States Magistrate Judge

TODD ANTHONY ROBINSON
53930
Allegheny County Jail
950 Second Avenue
Pittsburgh, PA 15219